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7 **UNITED STATES DISTRICT COURT**
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9 **EASTERN DISTRICT OF CALIFORNIA**

10 NATIONAL INTERSTATE INSURANCE
11 COMPANY,

12 Plaintiff,

13 v.

14 TAMANA FREIGHT LINES, LLC, et al.,

15 Defendants.

Case No. 1:20-cv-01829-NONE-SAB

ORDER DISCHARGING ORDER
REQUIRING PLAINTIFF TO SHOW
CAUSE WHY THIS ACTION SHOULD
NOT BE DISMISSED FOR FAILURE TO
COMPLY WITH ORDER AND FAILURE
TO PROSECUTE

DEADLINE: APRIL 15, 2021

16 National Interstate Insurance Company (“Plaintiff”) filed this action on December 29,
17 2020, against Mike Tamana Freight Lines, LLC, Amanjot Tamana, and Rupinder Tamana. On
18 this same date, a scheduling order issued setting the mandatory scheduling conference for March
19 30, 2021. (ECF No. 3.) On February 23, 2021, Plaintiff was ordered to file a notice of status of
20 service on the defendants within ten days. (ECF No. 4.) On February 25, 2021, Plaintiff
21 returned a proof of service for Mike Tamana Freight Lines, LLC showing that the defendant was
22 served by leaving the complaint and summons with a person in charge of the business on January
23 8, 2021 and mailing a copy of the summons and complaint on January 11, 2021. (ECF No. 5.)
24 However, Plaintiff did not file proof of service for Defendants Amanjot Tamana or Rupinder
25 Tamana or otherwise respond to the February 25, 2021 order. On March 9, 2021, an order issued
26 requiring Plaintiff to show cause why this action should not be dismissed for failure to comply
27 with the February 23, 2021 order and failure to prosecute. (ECF No. 6.) On March 15, 2021,
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1 Plaintiff filed a response to the order to show cause. (ECF No. 7.)

2 Plaintiff's response indicates that they recently realized that Defendants Amanjot Tamana
3 and Rupinder Tamana had been left off of their request for service of the summons and
4 complaint. Plaintiff states that the parties have discussed a resolution of this action by a
5 stipulated judgment and they will either file a stipulated judgment or move entry of default by
6 April 15, 2021.

7 Accordingly, IT IS HEREBY ORDERED that:

8 1. The March 15, 2021 order to show cause is DISCHARGED; and
9 2. On or before **April 15, 2021**, Plaintiff shall either file dispositive documents or
10 seek entry of default against Defendant Tamana Freight Lines, LLC.

11 IT IS SO ORDERED.

12 Dated: March 16, 2021



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UNITED STATES MAGISTRATE JUDGE